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June 26, 2019

VIA ELECTRONIC FILING

Honorable Gary R. Brown
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-9014

Re: McCune v. County of Suffolk, et al.
Docket No.: CV 14-04431 (JS)(GRB)

Dear Judge Brown:

As you are aware, we are the attorneys representing the Plaintiff in the above referenced matter. On May 17, 2019, we wrote the Court regarding our intent to amend the Complaint, and requested permission to do so [DE14]. On May 31, 2019, Your Honor issued an *Order* granting Plaintiff permission to amend his Complaint, on or before May 21, 2019. (Exhibit A) Because the date by which to file the amended Complaint was prior to the date the *Order* was issued, the May 21, 2019 date was inadvertently not calendared our diary. While conducting a case status review, we noticed the error in the *Order*, and noticed the error in our calendaring as well. We further reviewed the Court's Docket Sheet, and found that an *Amended Order* correcting the date for filing the motion had not been issued. Accordingly we unintentionally did not move to amend the Complaint, as we intended.

In light of the confusion, as indicated above, it is respectfully requested that the Court set forth a new date, allowing two (2) weeks by which Plaintiff should file his motion to amend the Complaint.

We thank the Court for its kind consideration.

Respectfully submitted,


FREDERICK K. BREWINGTON

EXHIBIT A

From: ecf_bounces@nyed.uscourts.gov
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 2:14-cv-04431-JS-GRB McCune v. County of Suffolk et al Order
Date: Friday, May 31, 2019 4:01:06 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 5/31/2019 at 3:59 PM EDT and filed on 5/31/2019

Case Name: McCune v. County of Suffolk et al

Case Number: 2:14-cv-04431-JS-GRB

Filer:

Document Number: No document attached

Docket Text:

ELECTRONIC ORDER re [14] Letter filed by Steven McCune. Application granted. Plaintiff shall file his motion to amend the complaint on or before 05/21/2019. Ordered by Magistrate Judge Gary R. Brown on 5/31/2019. c/ecf (Gilpin, Daniel)

2:14-cv-04431-JS-GRB Notice has been electronically mailed to:

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